

## **Remarks.**

By the above amendments Applicant have rewritten the claims to emphasize the novelty of the invention.

### **Objection to the claims rejection under 35 U.S.C. 102(b).**

The claims were objected to under 35 U.S.C. 102(b) since it was said to be anticipated by US5,443,260. Applicant request reconsideration and withdrawal of this objection since US5,443,260 discloses an apparatus whereby the light emitters and light sensor are mounted in a 3 dimensional structure. The applicants inventions places all light emitters and light sensors along one plane and does not require mounting on a 3 dimensional structure. The applicant submits that the physical features of claim 1 are novel and unobvious and cannot be anticipated by US5,443,260 and hence patentable.


### **Conclusion.**

For the reasons above, applicant submits that the claims are now in a proper form and that the claims define patentably over the prior art. Therefore they submit that this application is now in condition for allowance, which action they respectfully solicit.

**Conditional Request for Constructive Assistance**

Applicant have amended the claims of this application so that they are proper, definite and define novel structure which is also unobvious. If, for any reason this application is not believed to be in full condition for allowance, applicant respectfully request the constructive assistance and suggestions of the Examiner in order that the undersign can place this application in allowable condition as soon as possible and without the need for further proceedings.

Sincerely,



4/19/05

Fu Ching Lee